THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.19400 of 2004

Dated: 01-08-2006

Between:

K.S.B. Ali.

..... PETITIONER

AND

The District Collector, Ranga Reddy District,
and four others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.19400 of 2004

ORDER:

The petitioner claims to be the owner of the agricultural land along with 169 other persons situated at Kokapet Village of Rajendranagar Mandal in Ranga Reddy District. According to him the Government of Andhra Pradesh issued orders in Memo dated 06-05-2004 for implementation of the proceedings of the Mandal Revenue officer dated 28-08-1984 recognizing the petitioner and others as pattadars. He alleges that when there was a threat of encroachment by the third parties, he wanted to fence the land and therefore, he approached the respondents seeking necessary protection to enable him to fence the land, in vain. Therefore, he seeks a writ of Mandamus directing the respondents to provide protection to him for fencing the land belonging to him.

It is brought to the notice of this Court that the petitioner herein subsequently filed W.P.No.14439 of 2006 questioning the auction conducted by the Hyderabad Urban Development Authority (HUDA) in respect of the said land. The same was dismissed by this Court on 14-07-2006 as the question of title cannot be gone into in a writ petition. It is also brought to the notice of this Court that the entire land, which the petitioner claims, has been put to auction by HUDA and therefore, the relief of providing protection cannot be considered here. Indeed as rightly pointed out by the learned Assistant Government Pleader for Revenue (General), the writ petition has become infructuous. It is open to the petitioner to raise all the grounds in the appeal, if it is already filed against the order dated 14-07-2006 in W.P.No.14439 of 2006, or by way of separate suit.

The writ petition is accordingly dismissed as infructuous. No costs.

_____

(**V.V.S.RAO, J**)

1st August, 2006

ghn